

Testimony of Sara Steffens  
U.S. House of Representatives Education and Workforce Committee  
Subcommittee on Workforce Protections

Thank you Chairman Mackenzie, Ranking Member Omar, and members of the Subcommittee on Workforce Protections. I am grateful for this opportunity to testify on risks posed by expanding employer use of AI and AI-powered digital management tools, and the critical need for guardrails to protect the rights of America's workers.

I have nearly 20 years of experience in the labor movement, including with the Communications Workers of America, the union I joined in 2008 after organizing my coworkers at a group of Northern California newspapers and where I served two terms as secretary treasurer of the international. I am currently the worker power director for We Build Progress, a nonprofit organization that helps identify and develop solutions to build a more just, equitable and resilient nation.

In my work building coalition tables around labor and AI policy, I frequently talk to union leaders, worker advocates, and tech policy experts who share a deep concern about the impacts of today's rapidly expanding use of AI in America's workplaces. They see clearly that left unchecked, these new systems and tools threaten to deepen inequality, erode labor protections, and weaken workers' ability to organize.

***Surveillance of worker organizing***

For workers in the United States, organizing a union requires tremendous courage and a willingness to risk economic hardship. This shouldn't be true, but it is – and it helps explain the fact that while nearly 70 percent of Americans today [approve of labor unions](#), just [10 percent](#) of workers are union members. America's workers want unions, but they don't want to be punished or fired for organizing or joining them.

Of course, employers have a longstanding legal obligation to respect workers' rights to organize and act collectively, but – as I'll describe in this testimony – too many fail to meet this basic responsibility. New AI systems make this worse by allowing employers to monitor and surveil workers with frightening efficiency and scale, and with a lack of transparency that makes it even harder for workers whose rights are violated to win justice.

The problem of corporations bending and breaking the law in order to suppress worker organizing and bust unions is not new – as I learned firsthand while organizing my workplace 20 years ago, and millions of workers have since experienced, at [major corporations](#) such as REI, Starbucks, Amazon, and many others. More than [40 percent](#) of union elections have at least one unfair labor practice filed against the employer, and as many as [one in six](#) union elections includes firing union activists.

The National Labor Relations Act prohibits a wide variety of employer union-busting tactics, including spying on employees to detect and suppress union organizing. But the penalties for violating these rules are laughably slight, such as being required to post a notice acknowledging the infraction. And in the course of ordinary business, employers wield enormous power to watch workers in their daily jobs, including in private spaces such as break rooms and home offices, in most cases without that individual's consent or even awareness.

Corporations routinely scan workers' emails for key terms that might indicate union organizing, monitor employee internet browsing, and capture key strokes that can reveal private messages. They use cameras to monitor workers in work areas and break rooms, and track their locations with key cards and GPS systems, allowing them to quickly identify groups of workers gathering for discussion.

As one school bus driver [told researchers](#) from UC Berkeley Labor Center:

*“The bus cameras are the worst — they were originally installed to protect the kids, but now three cameras are pointed directly at us and recording at all times, even when no kids are on the bus. We know now that they use this footage in personnel matters, they listen to us through the bus cameras, and they use the cameras to read our text messages when we are parked and using our phones while the children are off the bus and we are on breaks from work.”*

AI technologies super-charge these invasive practices, allowing employers to quickly and inexpensively collect and synthesize enormous amounts of personal information. Modern systems combine many types of worker data – video recordings, screen shots, keystrokes and biometric data – and offer regular summaries to managers.

And worker surveillance is not limited to the workplace itself. A [study](#) of Amazon's union-busting efforts while workers were organizing in its Bessemer, Alabama warehouse found that Amazon monitored more than 43 Facebook groups, most of them designated as private, along with multiple Reddit threads and websites. As reported in [The American Prospect](#), “The program's described aim was to ‘capture’ and categorize posts of interest for potential investigation, including those mentioning complaints from warehouse workers and planned strikes or protests.”

Amazon is now expanding worker surveillance by embracing the power of AI monitoring with a geospatial operating console [known as SPOC](#). SPOC combines multiple data sets to analyze such supposed business threats as “Whole Foods Market activism/ unionization efforts,” “union grant money flow patterns,” and “presence of local union chapters.”

### ***Violating privacy and deteriorating job conditions***

Surveillance by AI-powered tools already makes it harder for workers to find private spaces where they can organize unions, share safety or wage concerns, and confront issues such as

workplace harassment and discrimination. At the same time, many workers are suffering increased stress, burnout, and even injury driven by AI management tools that track and direct every aspect of a worker's day.

American workers remain entitled to the full protections of federal statutes like the Fair Labor Standards Act, the Family and Medical Leave Act, the National Labor Relations Act, and more, regardless of the technologies used in their workplace. Yet too often, these systems are deployed in ways that obscure impact and increase the risk and ease of labor violations.

In a growing number of workplaces and industries, AI systems dictate which tasks workers prioritize in which order, often with little regard for individual circumstances or variations in work conditions, reducing workers' autonomy and their ability to decide how to organize their work. These systems often function as “algorithmic managers,” shifting core workplace decisions such as hiring, scheduling, discipline and discharge away from human supervisors and into opaque systems that workers cannot meaningfully access or challenge. Unrelenting algorithmic task management is particularly dangerous in healthcare, where workers’ ability to listen to patients and draw on professional experience can literally save lives. [Nurses report](#) being denied adequate time and staffing to attend to patients, based on untested AI-generated “acuity scores” that often underestimate the severity of patient symptoms.

The pandemic, when many employees were sent to work from home, saw an explosion of corporate tools that purport to measure productivity by monitoring “idle time” through measures such as how often a mouse is moved or how many changes were made in a document. These systems may erroneously or intentionally violate federal labor law by undercounting or improperly deducting hours worked as non-compensable, particularly without adequate human oversight.

Systems like ActivTrak, Teramind, and Hubstaff take screenshots of remote workers’ desktops every few minutes and send daily summaries to their bosses. Some employers even [access workers' web cameras](#) without their knowledge, allowing them to surveil their home environment.

Voice recognition tools, already widely deployed to monitor call center workers, are now popping up in new environments such as fast food: Burger King is piloting an [AI headset](#) at 500 U.S. restaurants in which a chatbot called “Patty” listens in on customer interactions, evaluating workers on service and “friendliness,” apparently based on their use or non-use of [unspecified key words](#).

In the past, corporations simply did not have the time or resources to watch every worker on every shift. But widely available AI tools now make it easy to rapidly analyze vast troves of information, with automated recommendations for management response.

Today, nearly three-quarters of U.S. [employers report](#) using tracking tools to monitor their workers. Fifty nine percent say they monitor employees’ screens in real time, and 37 percent

use live camera feeds to spy on remote workers. More than two-thirds use biometric data to track attendance and behavior.

Workers dispatched into the field, including delivery drivers, service technicians and installation specialists, are constantly monitored by GPS technology, vehicle information systems, and [AI-powered surveillance cameras](#) installed in their vehicles. This constant monitoring erodes workers' privacy and their dignity. No adult human being wants to be called in by their boss and asked, "Where were you those 20 minutes on Tuesday?," and to have to explain that they needed to find a public restroom or justify why they needed to do so.

### ***Violating privacy and civil rights***

Individuals have almost no privacy protections in the workplace. No federal law requires employers to notify staff about monitoring, although states including New York, Connecticut, and Delaware do require this disclosure. California regulates employer biometric data collection, and extends consumer rights to employees, while Connecticut explicitly prohibits monitoring in restrooms and break rooms. Texas law requires companies to [obtain consent](#) before collecting biometrics, and limits their resale.

Yet in most states, nothing currently impedes employers that want to collect, share, and even resell to data brokers private, personal data collected from people on their payroll. Similarly, employers can purchase AI-aggregated personal data from others to evaluate job candidates.

Most job seekers now encounter AI-powered management tools as they look for work. The vast majority of employers – upwards of 90 percent – now use some form of AI in screening job applicants, in some cases extending beyond simple resume review to actual interviewing. We know that untested tools for "[automated decision making](#)" in hiring can fuel [discriminatory outcomes](#), such as a [preference for resumes](#) with white- and male-associated names. Although discriminatory hiring remains illegal, employers' use of proprietary, opaque AI tools renders workers ill-equipped to defend their own rights.

Without regulation, AI allows employers and data brokers to accumulate, analyze, and sell vast amounts of highly-specific data on individual workers in ways that can never truly be erased.

This is happening right now, in real time, at a rapid pace. Once workers' personal data is sold to data brokers, removing it will prove difficult if not impossible.

This data can fuel algorithmic wage discrimination, already a problem in the [gig nursing industry](#). Worse, AI systems interpreting GPS, biometric, and wearable technology data could identify an employee's private medical conditions before the worker has the chance to invoke ADA or FMLA protections. If this data is sold or shared without limits, that individual could face long-term barriers to employment.

Aggregated databases maintained by brokers and shared among multiple corporate clients could be used to suppress wages, discriminate against people with disabilities or chronic illnesses, or blacklist union supporters. Predictive analytics furthers this risk, as it can be used to identify workplaces “at risk” of union organizing, identify individuals likely to take a lead role in worker organizing, or screen out job candidates based on projected political beliefs or activist tendencies.

### ***Worker voice is key***

For decades, the balance of power has tilted sharply in favor of employers. AI is already widely used in American workplaces, and it’s not going away. What workers need now is a real voice in how these new systems are used, not a deregulated landscape or concessionary giveaways to big tech.

Frontline workers must have a central role in shaping how AI is designed, deployed, and governed on the job, and one of their best tools to do so is a union.

Workers know their jobs best. They can help identify work tasks where AI can increase accuracy, efficiency and productivity, and differentiate them from those that require human insight and compassion. Unions have a long history of successfully [bargaining over new technology](#) in the workplace, and many unions are winning contract provisions that protect workers from AI, including disclosure requirements, requiring human review of automated decision-making, and restricting layoffs where AI technology is replacing workers. These wins show what is possible when worker voice is central to AI rollout and implementation at work.

Unions move fast. A workplace steward can literally bring a complaint about an unanticipated impact of a new AI system that same day, enabling intervention and correction before harm occurs – benefitting not only workers, but also employers.

Yet the vast majority of workers who want unions find them out of reach. So to address the impacts of AI on American jobs, we have to improve our labor laws to put power back into the hands of workers, including by passing the PRO Act and the Public Service Freedom to Negotiate Act.

As AI systems rapidly expand, both union and non-union workers need their rights protected. The federal agencies and systems created to protect workers and their rights need increased funding to meet the new challenges posed by AI and related technology – not further cuts, as proposed by White House budget request.

The NLRB, the only place most private-sector workers can turn to uphold their rights to organize and act collectively, is struggling to catch up with the backlog of more than 15,000 cases fueled by staffing and funding erosion, and worsened by the lack of quorum last year created by the president’s unprecedented firing of board member Gwynne Wilcox. The caseload of NLRB board agents has surged 52 percent since 2010, according to a recent analysis, while the

median days for a worker complaint to become a charge has skyrocketed 332 percent, to more than 400 days. For a worker illegally fired for organizing a union, that's far too long to wait for a paycheck.

Meanwhile, proposed cuts to the Department of Labor hit heavily two departments best poised to assist workers harmed by AI employment: the Occupational Safety and Health Administration and the Wage and Hour Division. These proposed cuts are on top of 2025 staffing reductions and decades of flat budgets that have eroded the DOL's [enforcement capacity](#).

AI is not a worry for the future – it's here, and it's affecting American workers every day, from high school teachers and emergency room nurses to news reporters and grocery store cashiers.

We have reached a moment where workers rights and worker power must be centered in the debate about how best to balance the risks and benefits of AI. Federal frameworks for AI regulation must include workers as a core constituency. Workers need immediate protections for their private information, including barring its sharing and sale to third-party data brokers. And corporations employing bossware must be required to disclose its use and purpose and share the information necessary to investigate potential violations of worker protection laws.

In the meantime, states must remain free to act to protect their residents. Lawmakers in all 50 states are exploring and implementing safeguards to harmful uses of AI, including bills that would require employers to disclose workplace monitoring, protect workers against automated-decision making without humans in the loop, and prohibit collection or sale of certain employee biometric data. This state innovation will inform federal policymaking and provide millions of workers with protection as they engage in the ongoing question of how the power of AI can best be harnessed to improve our workplaces, jobs, and economy for everyone.

Thank you again for the opportunity to provide this testimony.



## Introduction to AI and Worker Power: Understanding Key Issues and Impacts for Workers

Updated September 11, 2025

*Authors: Katherine Eyster, Chief of Staff; Sara Steffens, Worker Power Director*

### Executive Summary

Artificial intelligence (AI) and related digital management tools are rapidly reshaping the workplace, raising urgent questions about their impact on workers' rights, worker power, and job quality. The unchecked use of AI threatens to deepen inequality, erode labor protections, and weaken workers' ability to organize. Without strong safeguards, AI will accelerate economic insecurity—especially for lower-wage workers. But with proper guardrails, oversight, and worker involvement, AI could instead be deployed to strengthen workplace protections and improve job quality. Regulating the impact of AI on workers is a vital and often overlooked policy priority for tens of millions of working people in communities across the country.

### The Stakes for Workers

- **Expanding employer control:** AI is increasingly used to screen, hire, monitor, direct, evaluate, surveil, discipline, and fire workers, often without transparency, human oversight, or processes for workers to appeal decisions.
- **Deepening inequality:** Technological change historically increases disparities when labor protections are weak; the rapid deployment of AI is repeating this pattern and demands policy interventions to rebalance power.
- **Insufficient safeguards:** Federal law lacks a comprehensive framework for regulating workplace AI, leaving major gaps in transparency, fairness, accountability, and enforcement.
- **Worker voice is critical:** Labor unions and frontline workers must have a central role in shaping how AI is designed, deployed, and governed.

### Key Areas of AI Impact

**1. Hiring:** Employers are increasingly using AI to screen and hire applicants, set wages, and assess performance. These systems often rely on biased or opaque criteria, risking unlawful discrimination against women, older workers, people with disabilities, immigrants, and workers of color. Stronger federal safeguards are needed to ensure transparency, accountability, and recourse for job seekers.

**2. Surveillance:** AI tools monitor keystrokes, facial expressions, movements, and social interactions, frequently without worker consent. Such surveillance chills organizing, facilitates unlawful retaliation, and exacerbates worker stress and

burnout. Vast amounts of worker data are being collected and sold. Without regulation, AI enables invasive monitoring and undermines worker rights, protections, and privacy.

**3. Control:** Algorithmic systems dictate tasks, schedules, performance metrics, and even individualized wages, reducing worker autonomy, rights, and power. Opaque AI systems can be used to justify retaliatory discipline and weaken bargaining power. At the same time, if designed with worker input, AI could be used to improve safety, ensure fair scheduling, and enhance employer compliance.

**4. Secrecy:** Proprietary algorithms and opaque decision-making processes prevent workers from understanding or challenging AI-driven decisions, even if they are unlawful. This information asymmetry also hinders unions' ability to negotiate fair terms and makes public accountability difficult, especially where litigation is required to access data and decision-making.

**5. Displacement:** AI is already displacing workers across industries like retail, transportation, and manufacturing and is expanding into healthcare, finance, and IT. Workforce training programs are necessary but insufficient; broader job creation and robust, expansive safety net policies are essential.

## Levers for Change

To protect workers in the age of AI, multiple stakeholders—including lawmakers, unions, regulators, employers, and technologists—must act. Urgent needs include:

- **Legislation:** Establish federal standards for transparency, accountability, data privacy, fairness, and worker voice in AI deployment. Require audits, algorithmic impact assessments, and human review of major employment decisions. Ensure that agencies have the authority, staffing, and budgets to enforce existing laws, while also advancing new, comprehensive worker-centered AI legislation.
- **Executive action:** Prioritize agency enforcement and regulation by strengthening labor and civil rights oversight, funding regulators adequately, and deploying AI tools to detect workplace violations. Expand investment in public-interest research on AI and the future of work. Require federal contractors to meet robust standards for AI use in employment practices.
- **Structural reforms:** Expand workforce development programs alongside robust safety nets, including wage insurance, portable benefits, and stronger unemployment systems. Invest in public-interest AI tools designed to support workers and democratic accountability.

The impact of AI on working people is shaped by policy choices. Without intervention, AI will consolidate corporate control and erode workers' rights. With strong legal guardrails and meaningful worker participation, it can instead help enhance safety, fairness, and opportunity. Protecting workers in the age of AI requires centering worker voice, building enforceable rights, and governing technology in the public interest.

## Introduction

As artificial intelligence (AI) and related digital management tools rapidly reshape the workplace, addressing their impact on worker rights and power is becoming increasingly urgent. AI will automate tasks and reshape labor demand in a broad range of industries, from retail to health care and software coding to the entertainment industry. AI is increasingly being used to hire, monitor, direct, evaluate, surveil, discipline, and even terminate workers—often without transparency, worker consent, human oversight, guardrails, or accountability.

AI will significantly affect labor demand and job displacement, areas which have received attention by researchers and the public. Yet often overlooked is the impact of AI and automated decision-making (ADM) on worker power and protections, particularly through AI's growing role in workplace surveillance and control.

**Unchecked deployment of AI threatens to weaken job quality, expand and accelerate employers' ability to violate workers' rights, and further undermine workers' ability to organize and bargain collectively.** For lower-wage and vulnerable workers—including immigrant workers, workers of color, and those in precarious jobs—these risks are particularly acute.

The rise in AI-driven management is the newest in a long line of business strategies designed to cut labor costs and maximize profits by increasing employer control while reducing accountability to labor laws and regulations. Technological advancements have historically increased inequality due to policy decisions that have weakened labor protections and bargaining power—but this is a policy choice, not an inevitable outcome. Without regulation or intervention, deployment of AI will deepen existing labor market inequalities and accelerate economic insecurity, especially in low-wage sectors.

The U.S. lacks a comprehensive legal framework specifically designed to govern the use of AI, including in the workplace. Existing labor, civil rights and privacy laws offer critical safeguards to workers, but may not fully address the risks posed by automated decision making and other algorithmic management tools that expose workers to new methods of discrimination, surveillance and control. A strong federal framework to regulate AI in the workplace is an essential baseline to protect workers' rights across states and sectors. If the U.S. seeks to be the global leader in AI innovation, it must also lead in building rights-based, accountable governance systems that prioritize workers' wellbeing and the public interest.

It's critical that working people, along with informed lawmakers and government officials, [are meaningfully involved](#) in the design, deployment, and oversight of these technologies. Labor unions must play a central role in negotiating workplace uses of AI and informing policymakers of necessary legal guardrails. Used carefully, AI has the potential to improve working conditions, enhance safety, ensure fair scheduling, and strengthen enforcement of labor laws – especially where [unions give workers a voice](#) in AI deployment. But if policies, laws, and regulatory guardrails do not sufficiently incorporate [worker voice](#) and rights, AI will likely [worsen widening inequality](#), concentrating power in the hands of corporations while leaving working people with even less protection and voice.

The public is worried about the impact of AI [in the workplace](#) and on [job opportunities](#), and the vast majority [do not trust businesses](#) to use AI responsibly. Americans [rank job loss](#) as one of their top concerns about AI.

Even with limited prospects for comprehensive federal AI legislation in the current Congress, this issue must remain front and center for elected officials and policy makers. It's essential to track proposed legislation, Congressional hearings, executive actions, agency rulemaking, and enforcement related to AI and worker rights. Federal policy sets the baseline for worker protections and shapes the legal context in which state action, corporate accountability, and union bargaining play out. At the same time, [state and local innovation](#), corporate responsibility campaigns, and [strong union contracts](#) can [build momentum](#) and [create models](#) for future federal action. These efforts must be amplified to push for a more just and worker-centered AI future.

Focusing on hiring, surveillance, control, secrecy, and displacement, this explainer provides an introduction for policymakers and the public about the key ways AI impacts workers, why workers must be treated as a core constituency when developing AI policy and law, and why there is an urgent need for strong federal protections to govern the use of AI in the workplace.

## (1) Hiring

**Employers are increasingly using AI tools to [screen job applicants](#), evaluate workers** for hiring, promotions, and terminations, and even set individualized wages. These systems influence who gets access to work, how much they are paid, and how their work is assessed—often based on opaque or [biased criteria](#). While promoted as efficient and objective, these tools [risk bias and unlawful discrimination](#) that disproportionately affect specific groups. [Qualified workers](#) may be excluded from jobs or promotions without explanation or recourse. Federal civil rights laws, including disparate impact liability, provide a critical foundation for protecting against discrimination and must be strengthened to address how to detect and prevent embedded bias, ensure transparency in opaque systems, and enable individuals to challenge algorithm-driven outcomes. Without strengthened oversight, AI in employment risks turning critical decisions about people's livelihoods over to unaccountable and discriminatory systems. For example:

- Women [may be penalized](#) due to AI's training on [male-dominated data sets](#) – including for perceived lack of assertiveness or for [caregiving responsibilities](#).
- [Younger workers may be preferred](#) and older workers [may face discrimination](#) based on being viewed as less capable or less adaptable, health issues, or proximity to retirement.
- People with disabilities may face [discrimination from AI screening tools](#) that lack appropriate accommodations and are trained on data that excludes disabled people. These systems may [misinterpret disability-related behaviors](#) as indicators of incompetence or falsely identify a disability. Even when a

disability is accurately detected, these systems [may unlawfully penalize applicants](#) by focusing on traits unrelated to job performance.

- AI systems can [perpetuate and even amplify racial, ethnic, and intersectional biases](#) present in training data, leading to systematically unfair evaluations of applicants' qualifications—particularly disadvantaging Black candidates.
- Workers who are non-native English speakers or have accents [may be disadvantaged by AI systems](#) that misinterpret their speech patterns as signs of incompetence or a lack of professionalism. These systems often favor “neutral” or “standard” American English accents, leading to discrimination against [individuals with specific dialects](#) or non-native speech, even if they are fully qualified for the role.
- AI systems may [introduce or reinforce bias](#) against applicants from lower socioeconomic backgrounds, including by favoring applicants from prestigious institutions or “high-status” employers.
- Employers may use AI to screen or exclude non-citizens under the guise of compliance.
- AI systems are often used to [screen messages, social media](#) or other Internet postings by job seekers and workers in order to infer political leanings, religious practices or personal beliefs. This can specifically include screening out applicants based on their perceived support for unions.

With proper regulation and transparency, AI has the potential to reduce human bias in hiring by providing a data-driven approach to candidate evaluation. However, to unlock this potential, AI hiring tools must be rigorously tested and audited. Transparent, diverse datasets are crucial for training and testing these systems to ensure they don't replicate or amplify existing biases. Ongoing oversight, coupled with robust auditing mechanisms, is essential to assess the effectiveness of these tools, identify any emerging biases, and make necessary adjustments. Comprehensive and enforceable laws and regulations are needed to set standards for the use of AI in hiring, ensuring that these systems operate fairly, transparently, and without unlawful discrimination.

## **(2) Surveillance**

**Workers are increasingly subjected to AI-driven surveillance tools** that [track a wide range of behaviors](#), including keystrokes, time spent at a workstation, tone of voice, emotional states, and social interactions. Often, employers provide little or no information about which tools are being used in the workplace, when, and for what purpose.

- Worker privacy is [often ignored](#)—employers collect vast amounts of personal data and provide [little transparency](#) to workers, often using or selling it in ways that go far beyond what most people would reasonably expect.

- AI surveillance can [increase worker stress](#) and decrease job satisfaction. This [pervasive monitoring](#) can have a [chilling effect](#) on worker organizing, as employers can immediately detect and discourage collective action. Predictive analytics furthers this risk, as it can be used to [identify workplaces](#) “at risk” of union organizing, identify individuals likely to take a lead role in worker organizing, or screen out job candidates based on projected political beliefs or activist tendencies.
- Continuous data collection makes it easier for employers to retaliate, as they can mine years of detailed records for justifications to discipline or fire workers—even if the real motivation is to suppress worker power or target those raising workplace concerns.
- [Surveillance of immigrant workers](#) can have immigration enforcement implications, increasing the chilling effect of immigrant workers asserting their workplace rights.

Without [strong safeguards](#), such surveillance practices risk normalizing invasive monitoring, undermining workers' rights, and exacerbating power imbalances in the workplace.

## AI and Union Busting

AI is increasingly used to [detect and deter organizing](#)—often without workers' knowledge. Employers [are using](#) AI-powered tools to enhance their ability to track communication patterns, flag “at-risk” worksites, and identify individual organizers. Algorithmic tools may be used to isolate pro-union workers through targeted scheduling or messaging, or to justify discipline under the guise of performance management. These tactics make union suppression faster, harder to detect, and more difficult to challenge. Strong legal safeguards and transparency are [urgently needed](#) to prevent AI and related management tools from being weaponized against workers' right to organize.

### (3) Control

**AI is increasingly being used by employers to control workers** by monitoring their tasks, tracking their time, and analyzing their productivity. These systems are often used to dictate work schedules, assess performance, and guide decisions with minimal human oversight. Too often these mechanisms offer limited or no transparency, leaving workers and frontline managers with little understanding of how the systems operate—let alone opportunities to provide input on their design and deployment.

- AI systems may track and direct [every aspect of a worker's day](#), including how long they spend on tasks and how quickly they complete them, often with little regard for individual circumstances or variations in work conditions.

- AI systems can dictate the tasks workers prioritize and the order in which they should be completed, [reducing workers' autonomy](#) and their ability to make decisions about how to organize their work.
- AI-driven performance metrics can set unrealistic expectations that [lead to](#) stress, lower productivity, burnout, and injury, as workers are judged based on numerical outputs rather than their overall contributions or work environment.
- Alternately, AI systems can be used to [improve worker health and safety](#) by using AI to identify repetitive stress risks, hazardous environments, or unsafe patterns before injuries occur. Performance evaluations may be based on AI-driven [productivity metrics](#), which can result in biased assessments [without recourse](#) that fail to consider factors like the quality of work, worker context, or potential barriers to performance.
- AI systems are increasingly used to justify disciplinary actions, with data-driven decisions that may lack transparency and fairness, potentially leading to unjust consequences without proper human oversight. Workers need to be able to contest disciplinary action with “[humans in the loop](#)” who can assess the accuracy of the underlying data points and weigh explanatory factors not represented in the data.
- AI systems are increasingly used to set [individualized wages and terms of employment based on surveillance data](#), such as productivity metrics, location tracking, or behavioral analysis. This practice allows employers to tailor compensation and working conditions to each worker based on algorithmic assessments, undermining standardized labor protections and enabling wage discrimination with little transparency or recourse. AI and automated decision making systems can undermine important federal protections granted to workers under laws including the FMLA, the ADA, the Pregnant Workers Fairness Act, USERRA and Title VII of the Civil Rights Act.
- AI can [undermine worker bargaining power](#) by fueling credible employer threats to replace workers with new technology, and by centralizing control

### How AI Could Strengthen Worker Protections

If designed with [worker participation](#), priorities, and protections in mind, AI could provide effective tools for improving job quality and employer compliance. For example, AI-driven scheduling systems could incorporate worker preferences and reduce last-minute changes, creating more fair and predictable shifts. AI could [enhance workplace safety](#) through predictive maintenance and by detecting hazardous conditions in real time and triggering alerts or automatic shutdowns to prevent injuries. AI tools can be deployed to help employers, particularly small businesses, ensure compliance with local, state, and federal labor laws. Labor enforcement agencies could also use AI to better target investigations where violations are most likely and to improve compliance monitoring. With robust legal safeguards, oversight, and [worker input](#), AI systems can be used to promote safer, fairer workplaces.

and decision-making in opaque automated systems, making it more difficult for workers and their representatives to effectively negotiate wages, benefits, and working conditions.

As AI continues to shape how work is assigned and performed, it risks stripping workers of their agency and deepening power imbalances between employers and employees.

#### (4) Secrecy

**The secrecy and limited understanding surrounding how AI technologies are used in the workplace** create significant challenges in protecting workers' rights and ensuring fair labor practices.

- AI exacerbates information asymmetry between workers and employers, particularly through the [opacity of algorithms and proprietary decision-making processes](#) and the control that employers have over the data that informs these decisions.
- Workers are [often unaware](#) of what AI systems are being implemented, how they work or how employers are using them to make decisions.
- Even when workers are aware that AI is being used, the complexity and opaqueness of these systems – coupled with the proprietary nature of much of the [underlying data and algorithms](#)—can make their impacts difficult or impossible to fully understand.
- Employers may adopt AI tools without sufficient due diligence and may lack a full understanding of how they function or how decisions are made.
- This lack of shared understanding makes it difficult for workers and unions to assess the potential risks or identify when AI tools might be used in ways that violate workers' rights or undermine their power in the workplace. This can hinder union leaders' ability to assess and contest AI-driven decisions.
- Workers in non-union workplaces often have no voice in the design, deployment, or monitoring of AI systems.
- Even in union workplaces, [lack of transparency](#) hampers the ability to negotiate how AI systems affect workers' core hours, wages and working conditions.
- Monitoring and surveillance technologies could be used [in violation of labor law](#), to record workers off duty, or in sensitive spaces or situations.
- Auditing AI systems and uncovering potential violations can require substantial [investments of time, resources, and expertise](#).

- In many cases, [litigation](#) may be necessary just to gain access to the proprietary back-end systems and algorithms that are crucial for investigating or proving a violation.

This lack of transparency, combined with [sparse oversight and significant gaps in existing regulations](#), creates substantial barriers to holding companies accountable and safeguarding workers' rights.

## (5) Displacement

**AI is driving displacement of workers** across a wide range of industries, with both immediate and long-term implications.

- The public is [deeply concerned](#) about AI's impact on job loss. AI job displacement and disruption is already occurring in [sectors](#) like retail, transportation, logistics, manufacturing, data entry, accounting, sales, and [customer service](#), and is [forecast](#) to spread increasingly in [higher-wage industries](#) such as [healthcare](#), [entertainment](#), [finance](#), and [technology](#).
- Entry-level employment [has declined](#) in jobs that are more highly exposed to AI.
- Beyond job displacement through layoffs and hiring reductions, AI has the potential to impact [job quality](#) and [wages](#) across industries.
- Key unionized industries, including manufacturing, [transportation](#), [call centers](#), and [warehousing](#), are experiencing significant AI displacement, which can undermine the strength and size of these unions and reduce the number of high-wage union jobs.
- AI's long-term impact on the labor market will depend on [complex factors](#), including [the balance](#) between job displacement and the creation of new roles, the extent to which [AI enhances rather than replaces](#) human work, and overall effects on productivity.
- In the short term, industries like construction and engineering are seeing growth as the demand for building and maintaining data centers, semiconductor manufacturing plants, and AI infrastructure grows.
- New opportunities are emerging in AI-related fields like tech, data analysis, and logistics, though these roles often require highly specialized skills and advanced training.

Without adequate planning, the growth of AI could leave lower-wage workers behind, deepening inequality and limiting job mobility. While investments in education and training are necessary, [reskilling](#) alone is not a sufficient response to large-scale job displacement. Most programs remain underfunded and inaccessible to the very workers most at risk. Lawmakers must pair workforce training with policies that create good jobs, strengthen safety nets, and empower workers to

shape the use of AI, rather than treating reskilling as a one-size-fits-all solution to structural changes in the economy.

### How AI Could Support Worker Mobility and Career Pathways

When guided by worker needs and governed by clear pro-worker policies, AI can be a valuable tool to foster effective, equitable career pathways and job quality. Instead of automating away entire roles, AI could be deployed to [assist with dangerous or repetitive tasks](#), such as lifting in warehouses or monitoring exposure to hazardous materials, allowing workers to focus on safer, higher-value responsibilities. AI could [strengthen the workforce development system](#) by helping stakeholders better assess employer needs, predict industry growth and shifts, [connect workers with training opportunities](#), and improve [job training](#), matching and placement. At a systemic level, AI can help identify harmful anticompetitive corporate practices by analyzing how mergers might affect wages and jobs and by flagging unfair tactics like wage-fixing, no-poach agreements, and monopolies that limit worker opportunities.

### Levers to Protect Workers in the Age of AI

As artificial intelligence is [increasingly deployed](#) across workplaces, it is critical to identify the levers available to prevent its misuse and to protect and strengthen worker power in the face of rapidly evolving technology. Multiple stakeholders have essential roles to play in this effort, including lawmakers, government agencies, labor unions, civil society, employers, and the technology industry itself.

**The most urgent and foundational need is for national laws that protect workers from the misuse of AI systems, while fully enforcing existing civil rights and labor laws.** States can then [build on this baseline floor](#) with [additional protections](#). This will be most effective when complemented with [policies to strengthen workers' bargaining power](#) through stronger labor protections.

Examples from [international law](#), [policy landscaping](#), and detailed [policy proposals](#) from peer institutions explore this issue in depth. The intent of this section is not to provide comprehensive policy language or recommendations, but rather to introduce the major categories of influence and key levers that can be developed through collaboration with workers, unions, researchers, issue experts and other key stakeholders.

AI could be used to protect and empower workers, but those applications remain underexplored, underdeveloped, and underfunded – largely because the dominant forces shaping AI deployment today are capital and drive for employer control. Technology is often introduced without assessing its implications for workers, with little to no input from those most affected. As a result, AI is too often used to monitor, manage, and discipline workers rather than to address the real challenges they face on the job.

**To unlock AI's potential to strengthen worker power, robust legal safeguards and meaningful worker voice must be at the center of how these technologies are designed, deployed, and governed.** Without enforceable rights and transparent systems, AI will continue to be used to consolidate employer control. But with strong

legal oversight and [direct involvement of workers](#) in decision-making, AI can improve productivity while it also helps prevent discrimination and retaliation, support fair and predictable scheduling, enhance workplace health and safety, and build stronger, worker-centered job training and placement systems. These positive applications are not theoretical—they are entirely achievable, but only [if workers have power](#) in shaping AI from the start.

## Legislative Levers

Congress can act to protect workers from harmful uses of AI and support positive applications. These examples are not exhaustive, and legislation should be developed with input from impacted workers, unions, and other stakeholders.

### ***Transparency & Accountability***

- Require regular disclosure and [regular audits of AI systems](#) used in employment decisions.
- Mandate standardized [Algorithmic Impact Assessments](#) (AIAs) for workplace AI. Like environmental reviews, AIAs should be required before employers deploy systems that affect hiring, pay, discipline, or scheduling, and should be developed with clear federal standards, worker and union input, and mechanisms for accountability, transparency, and harm prevention.
- Require disclosure of data sources, training datasets, and algorithmic logic where possible.
- Require employers to clearly communicate to workers and job seekers when and how AI is used in employment decision-making, including hiring, monitoring, scheduling, or discipline.

### ***Data Privacy & Worker Control***

- Strengthen [privacy and data protection laws](#) specific to workplaces; limit what employers are allowed to monitor and collect, and specify how and when workers are entitled to access their own data.
- Limit the sale and sharing of [worker data](#) collected through AI tools to third parties. Codify workers' rights to control how their personal and performance-related data is collected, used, and disclosed.

### ***Fairness & Anti-Discrimination***

- AI-driven wage data sharing and profiling can enable tacit wage collusion and [anti-competitive coordination](#) among employers. Require regular independent audits of AI compensation tools to detect practices that facilitate collusion or suppress wages, including public reporting and mechanisms for worker-led challenges.

- Prohibit employers from using AI-driven surveillance to set individualized terms and conditions of employment, including [tailoring wages](#) based on monitored worker behavior or data.
- Ensure that anti-discrimination and [disability rights laws](#) are fully enforceable in the context of automated hiring and evaluation systems, including strengthening disparate impact liability and transparency requirements.

### **Worker Rights & Oversight**

- Require human review of any significant employment decision made by AI or ADM tools, including decisions that contribute significantly to hiring, firing, and discipline.
- Guarantee workers' right to explanation of automated decisions and to appeal them for human review.
- Ban AI tools used to surveil, suppress, or retaliate against [protected concerted activity](#) or retaliate against the lawful filing of grievances and complaints of labor violations.
- Require worker and union representation in the procurement, design, deployment, and oversight of AI systems that affect pay, scheduling, discipline, or surveillance. Workers should have a legally protected role in shaping how these systems operate in their workplaces.

### **Structural & Economic Reforms**

- Reform tax policy to [equalize rates](#) on employing workers and owning automation technologies, reducing incentives to replace human labor with machines.
- Create federal funding programs to support retraining, upskilling, and job placement services for workers displaced by AI-driven automation.
- Invest in public, worker-centered AI tools as essential digital infrastructure to help workers track hours, know their rights, challenge unfair decisions, and access workforce development and job opportunities.

### **Executive Branch Levers**

Federal agencies can protect workers from AI's impacts through effective enforcement and worker-centered, effective AI deployment; additional approaches should be developed with input from those most affected and experts in the field.

- Strengthen federal enforcement:
  - Significantly increase funding to state and federal labor and civil rights agencies (such as the NLRB, EEOC, and DOL) to investigate and enforce against AI-related violations.

- Issue federal and state-level guidance clarifying how labor laws (such as the NLRA, FLSA, and ADA) apply to data collection, automated decision making and related AI or algorithmic systems .
  - Develop enforcement guidance to combat [algorithmic wage-setting](#) that facilitates tacit collusion and harms labor markets.
  - Design and deploy AI tools on behalf of workers and the public, both to strengthen enforcement of labor and consumer protection laws and monitor compliance post-enforcement.
  - Use algorithmic tools to [detect workplace safety risks](#), patterns of discrimination and bias, wage collusion, no-poach agreements, misclassification, or retaliatory firing trends.
- Require all federal contractors to meet robust standards for AI transparency, auditing, and worker participation.
  - Establish internal policies on the [ethical use of AI](#) by government agencies.
  - Empower agencies to *harness* AI to advance pro-worker programs and policies.
  - Invest in public-interest research on AI and workers, such as:
    - Sectoral and occupational trends in AI adoption.
    - Labor market analysis, including job displacement and creation.
    - Opportunities to connect workers displaced by AI into new high-quality roles in the communities where they already live.
    - Wage and job quality impact assessments.
    - Best practices and governance models.

## ***Acknowledgements***

This explainer was written by the Congressional Progressive Caucus Center, with valuable feedback from Tanya Goldman and Mary Beech at Workshop.